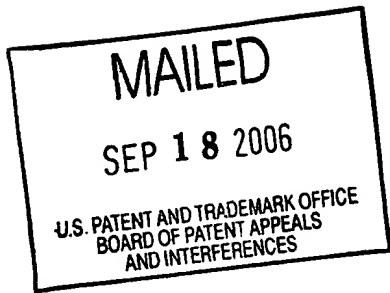


UNITED STATES PATENT AND TRADEMARK OFFICE



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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte STEPHEN F. GASS, DAVID A. FANNING,  
DAVID S. D'ASCENZO, JOEL F. JENSEN,  
SUNG H. KIM and ANDREW L. JOHNSTON

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Application 09/929,242

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences on August 17, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.


Information Disclosure Statements (IDS) were filed September 6, 2004, December 19, 2004 and February 27, 2005. It is not apparent from the record that the examiner considered the statements submitted nor notified applicants of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Application 09/929,242

Accordingly, it is

**ORDERED** that the application is being electronically returned to the Examiner for consideration of the Information Disclosure Statements, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:   
DALE M. SHAW  
Deputy Chief Appeals Administrator  
(571) 272-9797

GJH

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